IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re: NationsRent, Inc., et al.,[1] Debtors.	Case Nos. 01-11628 through 01-11639 (PJW) Jointly Administered Chapter 11
NationsRent Unsecured Creditors' Liquidating Trust, Perry Mandarino, not personally, but as Trustee, Plaintiff, v.	District Court Case Nos. (KAJ):
Airdyne Management Inc.	04-CV-714
ASAP Equipment Rental & Sales	04-CV-716
EJ Reynolds, Inc.	04-CV-722
FL Hydraulic Machinery	04-CV-725
GCR Pensacola Truck Tire Ctr.	04-CV-730
Cyrk Inc.	04-CV-734
Mutual Industries	04-CV-737
Harte-Hanks	04-CV-739
US Market Inc.	04-CV-740
Office Management Systems Inc.	04-CV-742
Ingram Trucking LLC	04-CV-744
Saber Fleet Services, Inc. d/b/a Weiland Tire Service	04-CV-753
Maxout Sourcing Services	04-CV-758
The Valvoline Company	04-CV-759
Morgan Marshall Industries Inc.	04-CV-763
Holt Equipment Company Co., LLC	04-CV-772
John Ray and Sons Inc.	04-CV-774
Original Equipment Replacement Parts, Inc.	04-CV-777
Parkway Truck Sales, Inc.	04-CV-781

Authorized Equipment, Inc.	04-CV-784
Diamond J. Transport, Inc.	04-CV-787
Equiptechs, Inc.	04-CV-789
Olsen Tire	04-CV-792
Southeastern Crane	04-CV-799
Texana Machinery Corp.	04-CV-805
Commercial Tire Inc.	04-CV-806
Tacony Corporation	04-CV-808
Kent Demolition Tools	04-CV-987
Little Beaver, Inc.	04-CV-997
Truck PM Corporation	04-CV-1002
Diamant Boart Inc.	04-CV-1004
Tsurumi (America) Inc.	04-CV-1005
Harbor Graphics Corporation	04-CV-1007
The Miller Spreader Co.	04-CV-1008
US Imaging Solutions	04-CV-1012
Mission Critical System, Inc.	04-CV-1014
Hunt & Sons	04-CV-1019
Empire d/b/a Nortrax	04-CV-1023
Multiquip Inc.	04-CV-1025
Bobcat Company	04-CV-1026
Naab Consulting Corp.	04-CV-1027
Mobile Storage Group, Inc.	04-CV-1028
Black & Veatch Constr.	04-CV-1039
ID Technologies, Inc.	04-CV-1043
Nortrax Equipment Co. South LA	04-CV-1044
Nortrax Equipment Co. SE, LLC	04-CV-1045

Partner Industrial Products	04-CV-1047
Rentlink Inc.	04-CV-1054
JAM Distributing Company	04-CV-1123
Equipment Development Co., Inc.	04-CV-1128
Fischer Group	04-CV-1141
Dossey Holdings, Inc.	04-CV-1155
L&P Financial Services	04-CV-1165
Husqvarna Forest & Garden	04-CV-1176
Jeff Falkanger & Associates	04-CV-1184
Mobile Products, Inc.	04-CV-1186
Morgan Guaranty Trust Company of New York	04-CV-1192
Vector Security Inc	04-CV-1197
Defendants.	

PROPOSED FINAL PRETRIAL ORDER

This matter comes before the Court at a final pretrial conference held pursuant to Rule 16, Federal Rules of Civil Procedure.

Plaintiff(s) Counsel:

Defendant(s) Counsel:

I. Nature of the Case

The parties should prepare a brief statement of the nature of the case including the claims of the parties (personal injury, federal tort claim, breach of contracts, etc.).

The principal purpose of this statement is to assist the Court in explaining the case to prospective jurors upon selection of a jury.

II. Jurisdiction

A. This is an action for:

(State the remedy sought, such as damages, injunctive or declaratory relief.)

B. The jurisdiction of the Court is not disputed (or, if the issue has not previously been raised, the basis on which jurisdiction is contested).

1. If not disputed, state the statutory, constitutional or other basis of jurisdiction.

III. Uncontroverted Facts

The following facts are not disputed or have been agreed to or stipulated to by the parties:

(This section should contain a comprehensive statement of the facts which will become a part of the evidentiary record in the case and which, in jury trials, may be read to the jury.)

IV. Agreed to Issues of Law

The parties agree that the following are the issues to be decided by the Court:

V. Witnesses (Please note those who will testify by deposition.)

A. List of witnesses the plaintiff expects to call, including experts:

1. Expert witnesses.

2. Non-expert witnesses.

B. List of witnesses defendant expects to call, including experts:

1. Expert witnesses.

2. Non-expert witnesses.

C. If there are any third parties to the action, they should include an identical list of witnesses as that contained in Parts A and B above.

D. **Rebuttal Witnesses**. Each of the parties may call such rebuttal witnesses as may be necessary, without prior notice thereof to the other party.

VI. Exhibits

As set forth in Local Rule 16.4(d)(6), "A list of pre-marked exhibits, including designations of interrogatories and answers thereto, request for admissions and responses, which each party intends to offer at the trial with a specification of those which will be admitted in evidence without objection, those that will be objected to and the Federal Rule of Evidence in support of said objection and the Federal Rule of Evidence relied upon by the proponent of the exhibit."

VII. Damages

An itemized statement of all damages, including special damages.

VIII. Bifurcated Trial

Indicate whether the parties desire a bifurcated trial, and, if so, why.

IX. Trial Briefs

Motions *in limine* shall not be separately filed. Any *in limine* requests shall be set forth, with citation to authorities and brief argument, in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the Court. Briefing shall not be submitted on *in limine* requests, unless otherwise permitted by the Court.

X. Limitations, Reservations and Other Matters

A. **Length of Trial**. The probable length of trial is _______ days. The case will be listed on the trial calendar to be tried when reached.

Mark appropriate box: Jury___________
Non-jury_______

B. **Number of Jurors**. There shall be six jurors and ______ alternate jurors.

C. **Jury Voir Dire**. The Court will conduct voir dire. If voir dire questions are to be tendered, they should be submitted with the final pretrial order.

IT IS ORDERED that this Final Pretrial Order may be modified at the trial of the action, or prior thereto, to prevent manifest injustice or for good cause shown. Such modification may be made either on application of counsel for the parties or on motion of the Court.

DATED: ____________________

____
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

____
ATTORNEY FOR PLAINTIFF(S)

____
ATTORNEY FOR DEFENDANT(S)

NOTE: Where a third-party defendant is joined pursuant to Rule 14(a) of the Federal Rules of Civil Procedure, the pretrial order may be suitably modified. The initial page may be modified to reflect the joinder. List attorney's name, address, and telephone number.